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Fax: 1-703-305-32-30
 Commissioner for Patents
 USPTO, Washington D.C.
 20231 USA
 Paris, 08th July 2002

Dr.Y.Zagyansky, Entraide, 22 rue
 Ste Marthe, 75010 Paris France
 Application N°09/744994 (PCT/IB00/00843)
 confirmation N°4671, filing date 06/22/00

W/S

Confirmation.

Sir, since E-Mail of Michael Neas (Special Program Examiner) of 19th Sept. 2001 and my previous confirmation Fax (1-703-305-32-30) with E-mail copy to Dr.Neas (with almost identical text with this letter), I do not have any news from you. Please, to write this my CORRECT address (and preferently to confirm sending by my both E-Mails: zagyansk@cyberport.tm.fr AND yulizag@voila.fr). Sincerely Dr.Y.Zagyansky

P.S. IN BOTH LETTERS, SENT TO ME BY USPTO, THE ADDRESS WAS INCORRECT AND I RECEIVED THESE LETTERS BY CHANCE!!!

JO EPO: IT MUST BE 100%
 PATENTABILITY BY ISA (EPO)

Yulizag

Please to send by registered letter.
 I sent the money in excess for this.

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Fax: 1-703-305-32-30
 Commissioner for Patents
 USPTO, Washington D.C. 20231
 Paris, 07th May 2002

Dr.Y.Zagyansky, Entraide, 22 rue Ste Marthe
 75010 Paris France
 Application N°09/744994 (PCT/IB00/00843)
 confirmation N°4671, filing date 06/22/00

Confirmation:

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P.S. IN BOTH LETTERS, SENT TO ME BY USPTO, THE ADDRESS WAS INCORRECT and I received these letters by chance!!!.

JO EPO: IT MUST BE THE 100%
 PATENTABILITY BY ISA (EPO)

Official Journal EPO 11/2001:
 "A cases"
 8. If the international search report does not cite X or Y documents, and the applicant has neither filed amendments under Article 19 or 34(2)(b) PCT nor expressly requested detailed preliminary examination, the EPO will issue a positive rationalised examination report without involving the substantive examiner again and refund two thirds of the preliminary examination fee (see Section III below).
 100%

Please to send by registered letter. I sent the money in excess for this.

ZAGYANSKY@cyberport.tm.fr
 does NOT WORK TODAY!

Yulizag

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NLS

Fax: 1-703-305-32-30
Commissioner for Patents
United States Patent and
Trademark Office
Washington D.C. 20231 USA

Application N°09/744994
(PCT/IB00/00843)
filing date 06/22/00. Confirmation 4671
Paris, 15th March 2002
Fax of 8 pages, all signed.

FOR USPTO EXAMINATION.

Sir, for forthcoming USPTO examination, I am sending to you here the important documents concernant International Preliminary Examination by European Patent Office (as IPEA): (1) 1st written Opinion of IPEA (29.11.01.) (1 page), (2) my answer (19.02.02.- 4 pages), International Preliminary Examination Report (04th March 02- 1 page) and its interpretation (sent 14th March 02- 1 page). (total 8 pages of this Fax, all signed). Sincerely yours
Dr.Y.Zagyansky

P.S. I did not receive ANY answer for correction of avalanche of too simple errors (always), made already at re-writing from Judicial Form PCT/DO/EO/903 to Judicial filing Receipt since October 2001. It is too simple.

Yuly Zagyansky

**WRITTEN OPINION
SEPARATE SHEET**

International application No. PCT/IB00/00843

Re Item III**Non-establishment of opinion with regard to novelty, inventive step and industrial applicability**

The claims mainly consist of a series of statements about a new alleged "physics" and attempts to deny the validity of the current physical theories. Ingredients available from textbooks are mixed with speculations which are new by definition (see e.g. claims 1 and 2). The new "physics" are assumed to lead to new desirable effects such as the "perpetual motion" which people would have already appreciated in the Middle Ages. The unique reference is the previous works of the applicant on the same subject. From none of the claims a concrete and functioning device or process becomes apparent.



INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY
European Patent Office Fax: 49-89-2399-4465
D-80298 Munich, Germany
Paris, 19th February 2002

Application PCT/IB00/00843
Dr.Y.Zagyansky, Entraide, 22
rue Ste Marthe 75010 Paris France

p. 3 of Fax in USA

Fax of 4 pages (ALL signed):

Sir, this is my answer for your 1st written opinion:

(pages 52 are signed verso with date: 19th February 2002).

answer to written opinion (pp.1-2),
new p.52 and signed Description of
changes in page 52 (p.4 of this letter).

§1. Examiners did not read the text of Inventions de facto.

It is pertinent fact that the examiners (for price of 12000FRF) did not even read the application but only Abstract in reality. They state: "the unique reference is the previous works of the applicant on the same subject". It is the false statement: very numerous! References are even numbered and even separated: p.23- 71 Refs., p.33- 26 Refs., p.39- 47 Refs., p.41- 27 refs., p.49- 4 Refs. (total- 179 Refs!). May be it is too many? Moreover, there are Refs. (in text) for patents (p.8- 6 Refs, p.16- 1 Ref., p.18- 10 Refs.). Moreover, due to common classical standard obvious known MEANS of execution of several inventions, there is a number of Refs. for the long families of very numerous patents (too elementary findable by Patent Codes, for instance in EPO "Bulletin" disc)*. Already this direct untruth (why to write too negative even without reading?) makes de facto this Opinion as the directly unobjective expressive deliberate approach: to blacken by any means.

§2. Such ignoring of even reading (de facto) reflects that all text of Opinion is too simple nonsense.

EPO cannot and did not deny its previous perfect MEANINGFUL International Search of ALL claims, made with electronic data bases: WPI data, INSPEC and EPO- international, wherein there is no any (for 61 pages!) pertinent X and Y. This proves already for 100%:

- a). All invention is absolutely new: no any X (novelty is undeniable).
- b). Inventive steps are undeniable: there is no ANY necessary! pertinent document (Y- prior art) for which the obviousness must be determined.
- c). It is undiscussable that only my clear concrete claims determinations permitted (DE FACTO!) to PREVIOUS EPO International Search Researchers to use the terms for 100% MEANINGFUL VERY positive EPO International Search of ALL! 12 claims. It is not serious, not honest to make so primitive so direct untruth against even OWN colleagues of the SAME Office, moreover without ANY concrete approach. It is necessary if only firstly to read the text of Invention that you did not read de facto.

§3. This is exaggeration. De facto your level is much less than that of THIS invention comparable with level of Newton, Maxwell and Kepler.

Let us take your example (claims 1 and 2): "speculations which are new by definitions". You exaggerate too much without reading. It is not the speculation (in spite of existence of benefice of doubt), It is the very important law, obviously proven already. The real existence of this "magnetic" force in direction opposite to momentary movement during oscillations is the SOLE possibility to make the work for sole possibility of creation of energy of electromagnetic wave! There is no other possibility in this Maxwell! (and all other genies!) fundamental physics error (p.10). Sole physical expounding of unusual proportionality between Energy of e.-m. wave and its frequency in atom (p.9) is another prove of existence of this force. Also the presence of such magnetic force (in the case when one charge is "immobile" (as nucleus in atom, calibrated charge for determination of charge velocity against Principle of Heizenberg [p.8] or static electric field with moving [in this field] charges during creation of radiowaves), is too obvious because of absolute Earth movement (§7.6.) (all charges move anyway! as in the law of interacting currents finally). These new, obviously proven (COLOSSALLY IMPORTANT!), physical forces, unknown to ALL GENIES of XIX-XX century: Lorentz, Maxwell, Bohr, Heizenberg, Schrodinger, De Brogly are TOO inventive too! I hope you will not state that your skill level is more than theirs even without reading!

You definitely did not read the text: this NEW principle of action of Machine (which moreover produce Perpetual Motion) was never even discussed. Complete absurdity of such strange (International EPO Examen???) statement can be easily revealed. If you want I shall name it (that must change nothing!): "Machine producing energy with elimination of electric field". I can do it: It is absolutely new but it reflects your apriori negative (until humour of above things) subjective ARBITRARY. It is much farer than Maxwell and Faraday: nobody knew what is the real electric field: so elimination of field could not be even imagined.

also sent by Fax 21 Feb 2002

p. 4 of Fax in USA

2

Fax:

§4. End of Einstein-Bohr Physics is proven. Deny, please, even one example: it is impossible. You will not do it because nobody can (and could) do it.

It is not the "attempts to deny the validity of the current physical theories", it is definitively proven end of New Physics of XX century. Proven, very detailedly, End of Michelson experiment signifies ALREADY end of 2nd postulate of Einstein and COMPLETE end of Theory of Relativity. I am sending you my TOO detailed arithmetic calculations (of §7), that even boy of 16 years old can easily control rapidly. If you cannot deny even it, your Opinion is the pure notconcrete demagoguery of wrong proclamations with the given excess of arbitrary without reading. And certainly you cannot do it, as (more than) 2500! best World Physicists (Including 141 Academicians!) could not do it SCIENTIFICALLY, in spite of nonhonest nonscientific attempts. End of Quanta follows already from New Force in Atom of §3. Try please, only these 2 examples. Impossible even for "best of the best" Physics in World, who even have read.

§5. It purely follows from §2c (even only from perfectly MEANINGFUL previous EPO International Search), that all claims were searchable de facto with clear terms for electronic data. So your statement is already nonsense. But, o'key, let us try again AGAINST EPO International perfect Search (normally, you do not have the rights to do it). Take, please, as example, the claim 7: clear and simple process of preparation of new particle with absolutely new properties in Universe (described at page 18-5 with references too). Concretely what do you do not understand in this very simple process? Please, to read firstly and to be concrete and with proofs, because a number of your proclamations (WITHOUT ANY SUPPORT!: it is impossible, especially without reading) are already false de facto.

§6. For your perfect satisfaction (with help of specially given already I.C.P. Codes) very easily I took out (from Patent CD-ROMs) many best patents with routine common means of my very clear and simple executions of this invention (in reality narrowing a larger number of patents, given already behind these I.C.P. codes). I put them at the end of text before claims in substituting p.52.

Supplements: 1. new page 52 (3 exp.). 2. Description of changes in p.52. 3. Detailed calculations of Michelson (and consequently Einstein Principal postulate) end, very strongly proved already (6 pages) (please, to be concrete without proclamations: It is very strong and precise science and technics).

11/2001 / Official Journal EPO /

all Fax pages are signed
539

Yuliy Bagga

Yuliy Bagga

INTERNATIONAL TREATIES

PCT

Notice of the President of the European Patent Office dated 2 November 2001 concerning rationalisation of international preliminary examination procedure at the EPO

I. Introduction

1. The unremitting increase in its PCT search and examination workload has prompted the EPO to rationalise its procedures for international preliminary examination under Chapter II PCT with effect from 3 January 2002. Its objective is to avoid using examining capacity unnecessarily on cases where applicants are more

"A cases"

8. If the international search report does not cite X or Y documents, and the applicant has neither filed amendments under Article 19 or 34(2)(b) PCT nor expressly requested detailed preliminary examination, the EPO will issue a positive rationalised examination report without involving the substantive examiner again and refund two thirds of the preliminary examination fee (see Section III below).

100% positive rationalised examination that you have to do!

sent also by Fax

31 Feb 2002 Yuliy Bagga



P.S. Moreover, It is justly the "A cases" (without ANY X and Y) of new EPO rules since 03/01/02 (OJ EPO p. 541/2001) for APRIORI positive preliminary examination. What did you do! spirit must be similar anyway! It is almost very illegal: the date of examination cannot decide the complete issue of examination! Y. Naumenko

D. Magliano
Authorized Officer

name and mailing address of the IPRA

European Patent Office
D-40225 Munich
Tel: (+49 89) 239940, Fax: 239658
Fax: (+49 89) 23994465

PCT/EP/2001/021043 (09/01/2002)

p. 3 of Fax
[Signature]

p 5 of fax in USA

- 52 -

one of Art.52(3) these subject-matters (like discoveries and scientific theories) are patentable only with their applications (!). Consequently, the claims, concerning "Theory or (EVEN!) principle underlying the invention" (letter "T" according the Form of the EPO Research) (to see also "Guidelines.." §CIII-2.2.) and claims, concerning their practical consequences must be considered ONLY ENSEMBLE, according to the law. Consequently, I present here the (priliminary) International Classification of Patents with the mentions of the corresponding claim Groups, serving to the establishment of each I.C.P. element.

Claims 1,2,3,5: H02K 44/00; G01P 3/50; G01B 11/03; G01R 5/00, 33/00; G01T 5/00; G01J 3/00. Claims 3,4,6: G01T 1/00; G01J 3/00; G21H 7/00; G21K 1/00, 7/00; G02B 23/00; G01B 15/00; G21G 1/00, 5/00. Claims 3,4,7: G01T 1/00, 7/00, 7/02, 7/04, 7/06, 3/00; G21G 1/00, 5/00; H05H 6/00; G21C 23/00; G21K 5/08; G21D 5/00; G01T 7/02. Claims 3,4,8: G21K 1/00; H02N 1/00; H02K 44/00; G01V 7/00. Claims 3,4,9: G01P 3/50; G01B 11/03; G02B 23/00; H01H 35/02; B65G; B65G 47/22. Claims 3,4,10: G01R 5/00, 33/00; G01J 3/00; G01T; G01W 1/00; G01V 3/00. Claims 3,4,11: G01R 5/00, 33/00; G01J 3/00; G01T; G01W; G01V 1/00, 3/00, 1/104, 1/157; E02B 17/00; E02F. Claims 3,4,12: G21K 1/00, 5/08, 7/00; H02N 1/00.

Unity of Invention (S-03 /1998, "Gazette du PCT"). I develop here the New Atomic Scale (Microworld) Physics (instead of the "Einstein-Bohr" Physics of XX century, established by Greatest geniuses) with this "sole general" conception with absolutely (and often opposite) new principal bases and revolutionary (for milliards of years) concrete applications. Evidently such new field (even the new Science!) general invention entitles the new general claims /"... an invention which open up a whole field is entitled to more generally in the claims than one which is concerned with advances in a known technology" ("Guidelines.." - §CIII-2.2.)). But I guarantee the Unity of Invention also (also) with the help of the discovered New Force in the Atom, conducting futher to the net negation of all basic foundations of the Einstein-Bohr Physics, constructed from beginning of XX century and to the creation of the Absolutely New Atomic scale Physics with the titanic applications in the sure continuous chain of the sure inventive discoveries, "considered as one whole, relatively to the technical field" where the developed continuous components of these chains (claims) "contain all characteristics of the previous ones" ("Gazette du PCT" S-03/1998 p.46). So the Unity of Invention is made in the double form.

MANY BEST PATENTS OF COMMON MEANS. FITTING TO GIVEN CODES. EASILY TAKEN FROM CD-ROM.

(p.48): a. H01H 35/02, B95G 47/00, B65G 47/22: WO 00/21052, 89/10623, 84/04962, 00/01921, 01/27006; EP:707193, 595446, 813214, 480131, 463291, 253790, 124269, 706028, 305940, 125839, 502248, 124269; FR 2560115, 2519947, 2490197. b, c. G01V (3/00, 1/00), G01W 1/00: WO 01/77712, 00/13647, 01/38903, 00/77755, 00/51093, 95/25966, 01/77702, 01/79873, 99/13358, 98/53345, 98/19750 91/19210; EP 1120629, 718639, 829736, 422895; FR 2779530, 2542453, 2424542, 2670532. G01V 1/104, 1/157, E02F, E02B 17/00: WO 00/63724, 97/48967, 92/11546, 90/13830, 01/79614, EP 1136648, 518427, 1147265. d. G21K 1/00, H02N 1/00, H02K 44/00: WO 00/14750, 00/14759, EP 1112578, 235896. (p.18): G01T 7/02, /04, /06: WO 00/69769, 00/25152; EP 234150, 404681, 008967; FR 2770648, 2729765, 2720506, 2619622.

SUPPLEMENT.

Description of changes in page 52 (for European Patent Office as IPEA).

Paris, 19th February 2002

Application N°PCT/IB00/00843

I, inventor of this Application, Dr.Y.Zagyansky, hereby claim that the replaced page 52 does not contain ANY new element.

1. Lines 7-7 and 7-8: instead of "element of I.C.P.", I took "I.C.P. element" in economizing one line.

2. I added new lines 52-33 until 52-41 [having one line more because of (1)] with N°N° of patents (too easily found with CDs) LIKE examples of patents for general (well known for skilled person) means for execution of this invention (in reality in narrowing already given I.C.P. patent codes of these patents).

Inventor of this invention

Dr.Y.Zagyansky

*Yul Zagyansky**Yul Zagyansky*

My complete answer, sent already by these letters in parallel:

LA POSTE**FICHE DE DÉPÔT D'UN ENVOI INTERNATIONAL****- RECOMMANDÉ****- AVEC VALEUR DÉCLARÉE**

A remplir par l'expéditeur

Destinataire : European Patent Office (International Preliminary Examining Authority), D-80298 Munich, Allemagne

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*Yul***LA POSTE****FICHE DE DÉPÔT D'UN ENVOI INTERNATIONAL****- RECOMMANDÉ****- AVEC VALEUR DÉCLARÉE**

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Destinataire : European Patent Office, D-80298 Munich, Germany (Allemagne) (International Preliminary Examining Authority)

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*Sent also by Fax
21 Feb 2002 Yul Zagyansky*

517/517 bis

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signature de l'agent

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Yul

**INTERNATIONAL PRELIMINARY
EXAMINATION REPORT - SEPARATE SHEET**

International application No. PCT/IB00/00843

Re Item III**Non-establishment of opinion with regard to novelty, inventive step and
industrial applicability**

The claims in substance consist of a series of statements about a new physics concerning subject-matter under Rule 67.1(i) PCT. For the search it was only possible to yield as unique reference the previous works of the applicant on the same subject. The claims apparently do not clearly define any concrete and functioning devices or processes.



p. 8 of Fax

in USA

Fax: 49-89-2399-4465 URGENT!!! URGENT!! Application N°PCT/IB00/00843
 INTERNATIONAL PRELIMINARY Dr.Y.Zagyansky, Entraide, 22 rue
 EXAMINING AUTHORITY (IPEA) Ste Marthe 75010 Paris France
 European Patent Office Paris, 14th March 2002

D-80298 Munich Germany (Examiners Mrs.Korb W. and Schuster-Kaechele W.)

Sir, I justly received your International Preliminary Examination (IPE) Report of 04/03/02. Thanks.

§1. You clearly forgot to add the corrected (ACCEPTED) pages 27-30, 50, 51 to Annexes of above Report. There are no corrected pages of Specification (27-30,50,51) sent Initially (25 May 2001) to you with demand of Preliminary Examination. These pages contain the corrections of obvious slips of the tongue in calculations against the most famous Nobel Michelson experiment although with the same ending result! (pp.27-30, 50,51). Certainly, these clear corrections (as even in all scientific journals) were de facto accepted by you according to Rule 91.1f (PCT). Thank you for urgent (WIPO----> Elected Offices) action (please, to communicate in parallel also to me also by my E-MailS: zagyansk@cyberport.tm.fr AND yulizag@voila.fr).

§2. ABOUT INTERPRETATION of YOUR BRIEF IPE Report: According to Official Interpretation (Form PCT/IPEA/408), Applicant's reply is "for the Examiner's OBLIGATION to consider amendments and/or arguments, see Rule 66.4 bis".

a). One must consider your Report as POSITIVE according to law: "EPO will issue a POSITIVE rationalised (de facto without new Search) examination" "if international search report DOES NOT CITE X or Y documents" according EPO Legislation (evidently only confirmed) from 3 January 2002 (OJ EPO p.539/2001). So (without ANY X and Y), one MUST interpret your brief Report as POSITIVE according to LAW.

b). Cited by you, Rule 67.1.(i) (for IPEA) is ABSOLUTELY THE SAME as Rule 39.1(i) (for ISA)(PCT) wherein Art.17 (1) (for ISA) [as exactly the same Art. 34 (1) (for IPEA)], according to which the procedure at IPEA and ISA is determined by Agreement of IB with this IPEA (and ISA). Wherein this Agreement ("PCT Gazette" 56/1997) (Appendix B) stipulates directly: "..are not excluded from research (PCT) or examination (PCT) all objects that are submitted to the research or examination according to the national procedure" (as in "Guidelines for examination in EPO"- §CIV-2.2.). So according to this direct law, EPO as ISA did made the best Search (by profound NUMEROUS Data bases: WPI Data, INSPEC and EPO-International) for NONEXCLUDED (for EPO procedure) basic (scientific, precise) substance of invention, TOO, without any X and Y. And EPO (ISA!) does cites, in Search, the 2 publications (WO 00/52989 and AU 5044699) as only A (notpertinent). So one must read that you clearly wrote that in spite of numerous Data bases for best International Search, EPO (ISA) Search (certainly accepted by you and it had to be accepted: without X and Y, according the law: §2a above) does not contain any X and Y (except prioritary publication). However, it contains "A" references due to the several used Data Bases. So such profound EPO Search for ALL Claims (1-12), without any real X and Y, subordinated to the same LAWS as Examination, was accepted by EPO again, without new Search, necessary for Examination.

c). You are agree with EPO (ISA) Search, that stipulates already clarity of all claims! In approving best EPO International Search, you had to agree that this search had to make (ALREADY!) critical analysis of claims in connection with Specification (EPO Guidelines §BIV-1.1.), wherein this Search WAS made in parallel with formal examination (§BIV-1.2.) (of claims! mainly). And EPO OBLIGES: IF the CLAIM misses the clarity, the Search MUST explain the causes of such statement [§BX-8.2.(1)]. But the accepted EPO Search does not do it AT ALL: so the Claims are clear according EPO best ACCEPTED International Search de facto. This confirms that you are again agree that you could not make concrete critique of claim 7, as example of simple routine separation of 1 charged particle from 1 neutral particle, described, oppositely, too heavily with also numerous adduced [as examples] references! That you had to do, in opposite case, according to Law: Rule 66.4bis PCT!

§4. THIS LETTER WILL BE SENT WITH NATIONAL PHASE APPLICATIONS. Thank you in forward.

Sincerely yours

Dr.Y.Zagyansky

P.S. As positive rationalised examination (without any X and Y at Search) without involving the substantive examlner again, EPO must refund two thirds of prelliminary examination fee (Art.8 JO EPO p.539/2001). Will it more effective if I pay now the imperative half of EPO Examination national phase fee and EPO will refund me the smaller rest? *Yulizag* PCT/IB/00843

This time as Supplement (p.2 of 2 Identical Faxes to EPO [The Hague and Munich] at National phase)

*** RX REPORT ***

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